IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO.3725 OF 2004

IN

SUIT NO.3598 OF 2004

...

Dow Agrosciences, LLC, USA
and Anr. ...Plaintiffs

v/s.

Gujarat Agro Chemicals
Manufacturing Co. ...Defendant

...

Mr.Mustafa Motiwala for the Plaintiffs.

None for the Defendant.

...

CORAM: D.K.DESHMUKH, J.

DATED: 8TH DECEMBER,2005

P.C.:

This Notice of Motion is taken out by the Plaintiff. The learned Counsel appearing for the Plaintiffs states that Defendant has been served. He has filed affidavit of service. Along with affidavit of service, the Plaintiff has produced a copy of the letter sent by the Defendant to the Plaintiff, wherein the Defendant has in paragraph 6 made following statement:-

"Inspite of the clear facts we with a view to buy peace we have decided not to use the said packing or packaging and the said trade name

"GAMTHANE M-45".

We hereby states that we will not use the above referred trade name, getup, colour combination, packing material, etc. as shown in Exhibit N, page 136 of the compilation of the proforma and plaint sent to us by you through courier."

In view of this letter, ad-interim order dated 21-12-2004 is confirmed. Notice of Motion disposed

of.

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